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Application No.: 09/973,088  
Amendment Dated 29 March 2006  
Reply to Office Action of 29 December 2005

### AMENDMENTS TO THE CLAIMS

This Listing of Claims will replace all prior versions, including listings, of claims in the application.

#### *Listing of Claims*

Claim 1 (previously presented): A method for regenerating transgenic plants of pine of the genus *Pinus* subgenus *Pinus* which comprises:

incubating pine cells of the *Pinus* subgenus with *Agrobacterium* for *Agrobacterium* transformation;

minimizing damage to cells subsequent to *Agrobacterium* infection by washing cells with a liquid culture medium comprising inorganic nutrients, vitamins, amino acids, a carbohydrate source and an *Agrobacterium* eradicator, wherein said damage is physical damage to the cells and loss of the cells and wherein minimized damage is assessed by time period to regain pre-transformation growth rate;

selecting transformed cells;

culturing said transformed cells to produce transgenic somatic embryos; and

germinating said transgenic somatic embryos to produce transgenic plants.

Claim 2 (currently amended): The method of claim 1, wherein said damage to cells is minimized by:

(a) suspending cells having been incubated with *Agrobacterium* in a the liquid culture medium;

(b) agitating said liquid culture medium containing suspended cells to wash the cells and remove *Agrobacterium*; and

(c) recovering washed cells with minimal damage.